

REMARKS/ARGUMENTS

This Amendment and the following remarks are intended to fully respond to the Office Action dated June 15, 2005. In that Office Action, claims 1-21 were examined, and all claims were rejected. More specifically, claims 1-21 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement; claim 21 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that applicant regards as the invention; and claims 1-21 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Ansell et al. (USPN 6,151,631), hereinafter "Ansell." Reconsideration of these rejections, as they might apply to the original and amended claims in view of these remarks, is respectfully requested.

In this Response, claims 1, 3, 9, 11, 14, 18, 19, and 21 have been amended; claims 2, 10, and 15 have been canceled; and no new claims have been added.

Drawings

In new Fig. 1, one of the two reference characters "156" has been deleted and replaced with the new reference character "158" that designates a "communications interface."

Claim Rejections – 35 U.S.C. § 112

Claims 1-21 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. Independent claims 1, 9, 14, and 18 have been amended to further clarify the present invention. Indeed, the changes to the claims are supported by information in the specification. See, pages 7-10. As such, Applicant respectfully requests that the Examiner withdraw the 35 U.S.C. § 112, first paragraph, rejections.

Claim 21 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 21 has been amended to depend from claim 18. As such, this rejection is now moot.

Claim Rejections – 35 U.S.C. § 102(e)

Claims 1-21 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Ansell (USPN 6,151,631).

Applicant respectfully traverses the § 102(e) rejections. The amendments to the claims render the § 102(e) rejection moot. Indeed, a prima facie case of anticipation can only be met when the reference teaches every aspect of the claimed invention. See MPEP §§ 706.02 and 2136. In this case, Ansell does not teach all of the claim limitations of the amended claims, e.g., receiving a plurality of mapping requests from a plurality of other network users identified by a plurality of other network addresses, associating a geographic location in each of the mapping requests with each of the other network addresses, or providing the geographic location associated with the similar network address as the geographic location for the network user.

Applicant's invention is a method for determining a geographical location of a network user from other mapping requests and the network addresses associated with those other mapping requests. In embodiments, a mapping server receives a plurality of mapping requests, which contain geographic information and originate from a particular network or IP address. The geographic information and the network addresses are associated in a database. After accumulating many associated sets of geographic information and network addresses, a geographic location for a new network address can be determined. By finding a similar network address in the database to the new network address, a geographic location, for the similar network address, can be used as the geographic location of the new network address.

The present invention differs from the methodology and system disclosed in Ansell. In Ansell, the methodology involves accessing an allocation database, such as RIPE. See, Ansell, col. 5, lines 15-23. These allocation databases provide information about IP addresses and the contact information provided by the registering entity that is allocated the IP address. See, Ansell, col. 5, lines 24-30. The contact information is an address or other information for the registrant of the IP address and does not necessarily correspond to the actual geographic location of the IP user having the IP address. In fact, Ansell provides a method and system similar to the "whois" method described in the present disclosure. See, page 2, paragraph 5. Ansell suffers from the same problems, described in conjunction with the "whois" method, which the present invention solves.

The Ansell system does not teach or describe mapping requests or deriving geographic location from the mapping requests, as does Applicant's claimed invention. Indeed, Ansell does not teach or suggest receiving a plurality of mapping requests from a plurality of other network users identified by a plurality of other network addresses, associating a geographic location in each of the mapping requests with each of the other network addresses, or providing the geographic location associated with the similar network address as the geographic location for the network user. Thus, Ansell does not teach or suggest all of the elements of the amended Claim 1.

As Examiner has noted, the remaining claims either depend from Claim 1 or have similar elements as Claim 1. Thus, Ansell also fails to teach or suggest all of the elements of any other claims in the present disclosure. Therefore, Applicant respectfully requests that the 35 U.S.C. § 102(e) be withdrawn, and the amended claims be allowed.

Conclusion

A Petition for a one-month extension of time is submitted herewith, along with our check in the amount of \$120 as payment of the extension fee. It is believed that no further fees are due with this Response. However, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayment with respect to this patent application to deposit account number 13-2725.

In light of the above remarks and amendments, it is believed that the application is now in condition for allowance and such action is respectfully requested. Should any additional issues need to be resolved, the Examiner is requested to telephone the undersigned to attempt to resolve those issues.

Respectfully submitted,

Dated: 9/16/05



A handwritten signature in dark ink, appearing to read "Tadd F. Wilson". The signature is fluid and cursive, written over a horizontal line.

Tadd F. Wilson, Reg. No. 54,544
Merchant & Gould P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
(303) 357-1651
(303) 357-1671 (fax)

Amendments to the Drawings:

The attached sheet of drawings includes changes to Fig. 1. This sheet replaces the original sheet Fig. 1. In Fig. 1, one of the two reference characters "156" has been deleted and replaced with the new reference character "158" that designates a "communications interface."

Attachments: Replacement Sheet

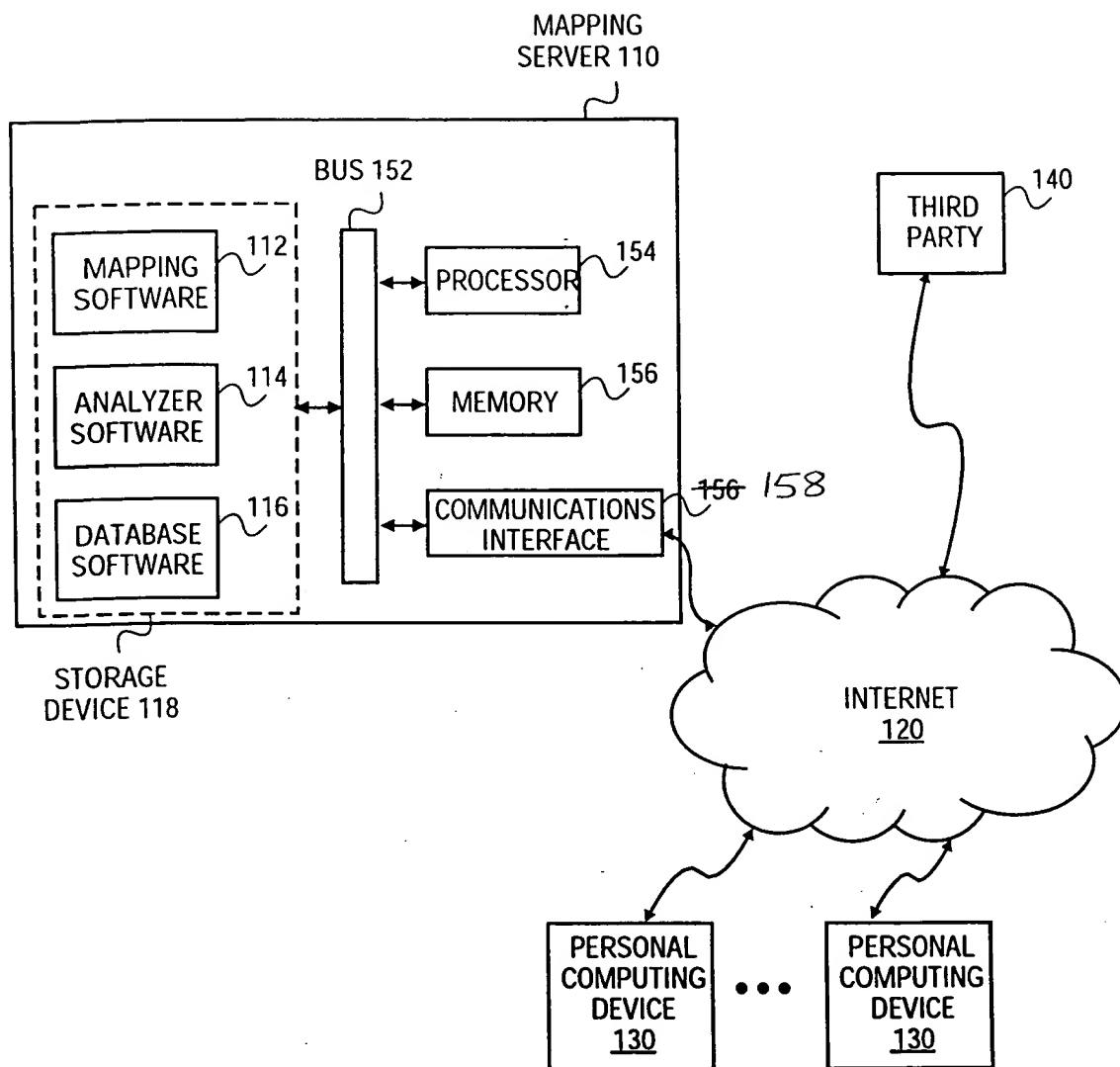


FIG. 1